

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION AT CLEVELAND

GPH LOUISVILLE HILLCREEK LLC,)
et al.)
Judgment Creditors/Garnishors,)
v.) CASE NO.: 1:24-mc-00033-PAB
REDWOOD HOLDINGS, LLC, *et al.*)
Defendants/Judgment Debtors.)

**JUDGMENT CREDITORS' REQUEST FOR WRIT OF NON-WAGE GARNISHMENT
TO ARES REAL ESTATE INCOME TRUST INC. FOR
JUDGMENT DEBTOR ELI GUNZBURG**

Plaintiffs/judgment creditors/garnishors, GPH Louisville Hillcreek LLC, GPH Louisville Camelot LLC, GPH Louisville Mt. Holly LLC, GPH Louisville St. Matthews LLC, GPH Frankfort LLC, GPH Kirtland LLC, GPH Vanceburg LLC, GPH Stanford LLC, and GPH Greensburg LLC (collectively, "Judgment Creditors"), by and through counsel, pursuant to Fed. R. Civ. P. 64 and 69, and O.R.C. § 2716.11, request that this Court issue an order of garnishment of property other than personal earnings to Ares Real Estate Income Trust Inc., as garnishee, for Judgment Creditors to collect amounts due to them pursuant to the judgment entered in the United States District Court for the Western District of Kentucky (Case No.: 3:21-cv-00063-RGJ-RSE) and registered in this Court against judgment debtor Eli Gunzburg.¹ See DN 1. Under the Federal Rules of Civil

¹ Judgment was entered on May 1, 2024, against defendants/judgment debtors Redwood Holdings, LLC, Hillcreek Leasing, LLC, Camelot Leasing, LLC, Mt. Holly Leasing, LLC, St. Matthews Leasing, LLC, Frankfort Leasing, LLC, Kirtland Leasing, LLC, Vanceburg Leasing, LLC, Stanford Leasing, LLC, Green Hill Leasing, LLC, and Eli Gunzburg, jointly and severally, in the principal amount of \$1,059,523.45, plus post-judgment interest at the legal rate of 5.18% per annum from the date of the judgment pursuant to 28 USC § 1961. This Request for Writ of Non-Wage Garnishment relates specifically to judgment debtor Eli Gunzburg. Judgment Creditors reserve the right to submit other Requests for Writs of Non-Wage Garnishments with respect to the other judgment debtors.

Procedure, a party may seek to collect a judgment through procedures authorized by the state in which the federal district court sits. Fed. R. Civ. P. 69(a)(1). Accordingly, an affidavit complying with ORC § 2716.11 is filed concurrently herewith as **Exhibit 1**, along with all other process required by Ohio law. *See* ORC § 2716.13. More specifically, Judgment Creditors are filing, along with the affidavit, the following:

- Order and Notice of Garnishment of Property Other than Personal Earnings and Answer of Garnishee pursuant to ORC § 2716.13(B) (**Exhibit 2**);
- Instructions to Clerk to Issue to the Judgment Debtor a Notice and Request for Hearing Form under ORC § 2716.13(C)(1) (**Exhibit 3**);
- Notice to Judgment Debtor form under ORC § 2716.13(C)(1)(a) (**Exhibit 4**);
- Request for Hearing form under ORC § 2716.13(C)(1)(b) (**Exhibit 5**); and
- Proposed Order to Pay Garnished Funds to Judgment Creditor pursuant to ORC § 2716.13(C)(5) (**Exhibit 6**).

The garnishee's fee for compliance of one dollar, along with pre-addressed stamped envelopes for use by the Court's clerk are being sent via overnight mail concurrently with the filing of this Request.

Dated: July 25, 2024

Respectfully submitted,

/s/ Elizabeth Brown Noland
Elizabeth Brown Noland [KY 89312/OH 76068]
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Counsel for Judgment Creditors

CERTIFICATE OF SERVICE

I certify that on July 25, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and a copy of the foregoing was also served via U.S. Mail on the following:

ELI GUNZBURG
25262 MARGOT COURT
BEACHWOOD, OHIO 44122

/s/ Elizabeth Brown Noland
Elizabeth Brown Noland [KY 89312/OH 76068]